

# **CDHD DRUG/TOBACCO/ALCOHOL-FREE WORKPLACE POLICY**

Central District Health Department (CDHD) is committed to maintaining a drug, tobacco and alcohol-free workplace in the interest of high quality health care, safety and efficiency for all concerned. Alcohol or drug abuse in the workplace has many detrimental effects on any organization and its individuals. Alcohol and drug abuse impacts morale, lowers productivity, and increases health care costs. Tobacco use lowers productivity, increases health care costs and is the leading cause of preventable disease and premature death in the United States. The CDHD Drug/Tobacco/Alcohol-Free Workplace policy applies to all clients, visitors, employees, volunteers, contractors and vendors.

Violation of this policy will result in corrective action. Depending on the circumstances, appropriate corrective action may include disciplinary action up to and including termination from employment

## **RULES AND REGULATIONS**

### **Use or Possession at Work**

The use or possession of controlled drugs and the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, or use of alcoholic beverages, while on CDHD property, on the job, or performing CDHD business is prohibited.

As a courtesy to our customers and as a role model for promoting a healthy lifestyle, smoking including electronic nicotine delivery devices and use of other tobacco products is not permitted inside Central District Health Department facilities, nor any place on CDHD grounds, in district vehicles or other vehicles parked on CDHD property. As a reminder, "Tobacco-Free Zone" signs shall be visibly posted. Enforcement of this policy is the shared responsibility of all CDHD personnel.

### **Intoxication/Impairment**

Appearing for work or performing any job duties or CDHD business while intoxicated or impaired by alcohol or drugs is prohibited. Employees who are believed to be intoxicated or impaired on the job may, in addition to any other appropriate action, be sent home or reassigned for safety reasons while the situation is evaluated.

### **Legal Drugs**

The use of legal drugs (over the counter or prescription medications) in accordance with doctor's orders and/or manufacturer's recommendation is not prohibited.

1. Abuse of legal drugs shall be considered to be the same as use of controlled substances under this policy. If use of legal drugs in accordance with doctor's orders and/or manufacturer's recommendations may impair the employee's ability to safely and effectively perform his or her job, the employee must so notify his or her supervisor in advance, so that any necessary arrangement can be made to protect safety and productivity.
2. Drug Convictions. Any employee, who pleads guilty to or is found guilty of any criminal drug violation or driving under the influence of alcohol or controlled substances, must notify his or her supervisor within five (5) days after the conviction. CDHD may be required to report such information to governmental agencies with whom it contracts.
3. Job Applicants. CDHD will not hire a job applicant who is known to be abusing alcohol or legal drugs, illegally using controlled substances, or using tobacco products.

#### RIGHT OF INSPECTION

CDHD reserves the right to inspect with reasonable articulable suspicion employee desks, employee lockers or any other CDHD property. CDHD will clearly outline the place to be searched, the item searched for, and the rationale for any searching prior to conducting any inspections.

#### DRUG, TOBACCO, AND ALCOHOL TESTING POLICY

CDHD may require any employee or job applicant to submit to a blood, breath, and/or urine test for drugs, tobacco, or alcohol in the following circumstances:

1. Pre-employment. Pre-employment testing is required for all job applicants. Applicants who fail to pass a pre-employment drug, tobacco or alcohol screen will be ineligible for employment for a minimum of three (3) months.
2. Post Accident Testing. Employees involved in on-the-job accidents may be subject to testing. Based on the circumstances of the accident, the District Director or his/her designee may initiate the testing process. An employee subject to post-accident testing shall not consume alcohol or controlled substances prior to testing. Exceptions will be made for prescribed maintenance medications and/or medications administered to treat an injury related to the accident.
3. Reasonable Articulable Suspicion. CDHD will require any employee to be tested for the presence of drugs, or alcohol based on reasonable

suspicion. Reasonable articulable suspicion shall be defined as a reasonable suspicion, by a supervisor or above, concurred by the District Director or his/her designee, that an employee is or has been impaired on the job. This determination of a reasonable suspicion may be based on a variety of factors, including but not limited to:

- a. Direct observation, or reliable reports from co-workers or others.
- b. Possession of drugs or alcohol on the premises, or use of drugs, or alcohol at work, prior to work, or on break.
- c. Behavior, speech or other physical signs consistent with impairment.
- d. A pattern of abnormal conduct or erratic behavior, which is not otherwise satisfactorily explained.
- e. Unexplained accidents, on the job injuries, or property damage.
- f. A combination of some of the above factors, and/or other factors in the judgment of management.

Management's determination of whether reasonable articulable suspicion exists shall be final.

### TESTING PROCESS

1. Scope. Drug, tobacco and alcohol testing of applicants or employees may include a urinalysis, breath analysis and/or blood sample testing as determined by CDHD and the testing service provider/laboratory. Testing may include, but not be limited to, detecting the presence of tobacco, alcohol, marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). CDHD may increase or decrease the list of substances for which testing is conducted at any time, with or without notice. In addition, CDHD may require that separate samples of multiple tests are conducted. Test levels and standards will be established by CDHD and the testing service provider/laboratory. A positive result for alcohol at a level of .02 or greater will be considered in violation of this policy. A positive result for tobacco (cotinine) of 500 ng/ml or greater will be considered in violation of this policy. Use of nicotine replacement therapy will not waive the requirement to have cotinine levels less than 500 ng/ml in order to pass. Confirmation. Initial positive tests shall be confirmed using a second test in accordance with applicable law. The second test is from the original sample, but uses more specific and sensitive technology.
2. Specimen for Testing. Job applicants and employees selected for testing shall appear at the designated time and place and provide the necessary sample for testing. If the test sample is drawn off-site, employees tested based on a suspicion that the employee may be impaired shall be transported to the site by a supervisor or another person designated by CDHD. The applicant and/or employee must sign any consent requested and provide any other information;

failure or refusal to do so may result in disciplinary action up to and including termination or denial of employment.

3. Testing an Injured Employee. An employee who is seriously injured and cannot provide a specimen at the time of the accident shall provide the necessary authorization to obtain hospital reports and other documents that may indicate whether there were any controlled substances or alcohol in his/her system.
4. Notification of Results. Employees and applicants will receive notification of positive test results and will be given an opportunity to explain such results. Failure to submit to a test in a timely manner may result in discipline up to and including termination.

### REHABILITATION

1. Purpose and Responsibility. CDHD recognizes that drug dependency, tobacco use and alcoholism are health problems and will attempt to work with and assist an employee who becomes dependent on controlled substances and/or is abusing alcohol. Employees will be assisted in identifying rehabilitation services, referral agencies, or other resources to help the employee in dealing with his or her problem. It is the employee's responsibility, however, to see that such problems do not interfere with proper job performance or expose others to the risk of harm. All employees are urged to obtain any necessary help before a personal problem becomes an employment problem.
2. Evaluation and Treatment. An employee may be required, in addition to discipline or as an alternative to discharge for violation of this policy; to undergo an evaluation for alcohol or chemical dependency should the employee so elect. This alternative may be offered on a case-by-case basis, at the sole discretion of CDHD management. If recommended by an evaluation, enrollment in and successful completion of chemical dependency treatment may, in the sole discretion of CDHD management, be accepted once as an alternative to disciplinary action of an employee (not applicable to job applicants), and as a condition of continuing employment. Eligibility to return to work and any special conditions on the employee's work shall be determined on a case-by-case basis considering all relevant circumstances, including CDHD's interest in client safety and operational efficiency.

### RECORDS

CDHD shall not release the individual test results of any employee or applicant to any person outside CDHD, without first obtaining written authorization from the tested employee or applicants, unless otherwise directed by law. Information will be released

within CDHD only to those employees and agents who have a legitimate need to know the information for CDHD business purposes.

COSTS

Mandatory drug/tobacco/alcohol testing costs shall be paid by CDHD. Treatment costs shall be the responsibility of the employee to the extent not covered by the employee's health insurance.

**I hereby certify that I have received and read a copy of the department's Drug-Free Workplace Policy and understand the terms of this policy.**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Policy Approved by:

\_\_\_\_\_  
Russell A. Duke, District Director

\_\_\_\_\_  
Date

Revised: 06-13-07; 12-09-11